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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/510,256	10/05/2004	Hubertus Cornelis Maria Van Den Nieuwenhuizen	NL 020271	8751
24737	7590	12/13/2005		
PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001 BRIARCLIFF MANOR, NY 10510			EXAMINER PERRY, ANTHONY T	
			ART UNIT 2879	PAPER NUMBER

DATE MAILED: 12/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/510,256	Applicant(s) VAN DEN NIEUWENHUIZEN	
	Examiner Anthony T. Perry	Art Unit 2879	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 October 1947 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4/14/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the reflector with capacitive body mounted at least partially therein (claims 6-7) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Regarding claim 8, the phrase "preferably" renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5 and 8-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Van den Nieuwenhuizen et al. (WO 00/77826).

Regarding claims 1-2, 4, and 9, Van den Nieuwenhuizen et al. disclose a high-pressure discharge lamp and its method of manufacturing, wherein the high-pressure discharge lamp has a quartz glass discharge vessel enclosing a discharge space (3) with an ionizable filling, wherein a first electrode (4) and a second electrode (40) are present between which a discharge is maintained during lamp operation, wherein a first seal (5) incorporates a first internal electrical conductor (6) in the form a foil which connects the first electrode (4) to a first external electrical conductor (7) extending from the seal (5) to the exterior, wherein said first seal (5) further incorporates a gas-filled cavity (10) which is at least partially surrounded by an external capacitive body (45) comprising a wire wound around the seal (5) (for example, see Fig. 3). The foil (6) extends through the gas-filled cavity (10). Figure 3 shows the external capacitive body electrically connected to the second electrode (passive system). However, Van Den Nieuwenhuizen teaches an alternative assembly, wherein the capacitive body is part of a active

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system and in which ignition voltages are exclusively applied to the capacity body (the capacitive body is electrically isolated from the first and second electrodes) (for example, see page 3, lines 1-11).

Regarding claims 1 and 3-4, Van den Nieuwenhuizen et al. disclose a high-pressure discharge lamp and its method of manufacturing, wherein the high-pressure discharge lamp has a quartz glass discharge vessel enclosing a discharge space (3) with an ionizable filling, wherein a first electrode (4a) and a second electrode (not shown) are present between which a discharge is maintained during lamp operation, wherein a first seal (5) incorporates a first internal electrical conductor (6) in the form a foil which connects the first electrode (4a) to a first external electrical conductor (7) extending from the seal (5) to the exterior, wherein said first seal (5) further incorporates a gas-filled cavity (10) which is at least partially surrounded by an external capacitive body (45') comprising a resilient body which clamps itself partially around the seal (5), characterized in that the external capacitive body (45') is electrically isolated from the first and second electrodes. The foil (6) extends through the gas-filled cavity (10).

Regarding claim 5, Van den Nieuwenhuizen et al. teach that the gas fill of the cavity comprises mercury (for example, see page 3, line 15).

Regarding claim 8, Van den Nieuwenhuizen et al. teach that the electrodes of said lamp are connected to a resonance ignition system having a frequency of at least 50 kHz (for example, see page 7, lines 1-9).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Van den Nieuwenhuizen et al. (WO 00/77826) as applied to claims 1-2, above, and further in view of Kawashima et al. (US 6,294,870).

Regarding claims 6-7, Van den Nieuwenhuizen et al. do not specifically teach the use of a lamp reflector. However, Kawashima et al. disclose the use of a lamp reflector (77) with a high-pressure discharge lamp (1) (see Fig. 12). The use of such lamp reflectors is well known in the art for reflecting emitted light in desired direction. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include a lamp reflector as taught by Kawashima in order to increase the light intensity in a particular direction, for the purpose of illuminating a desired object. Figure 9 of the Kawashima reference shows capacitive body (73) being partially mounted within the holder (64) of the lamp reflector, such that it is embedded in cement (70).

Other Prior Art Cited

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Morris (US 5,323,091) reads on at least independent claims 1 and 9.

Cosco et al. (US 4,001,624), Arimoto et al. (US 6,597,118), and Okanuma (JP 2003-092082) teach external capacitive bodies that are electrically isolated from the first and second electrodes.


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Contact Information

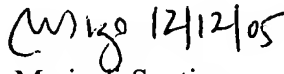
Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Anthony Perry* whose telephone number is (571) 272-2459. The examiner can normally be reached between the hours of 9:00AM to 5:30PM Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel, can be reached on (571) 272-24597. **The fax phone number for this Group is (571) 273-8300.**

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Anthony Perry
Patent Examiner
Art Unit 2879
December 12, 2005



Mariceli Santiago
Primary Examiner
Art Unit 2879